

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE WACHOVIA CORPORATION :
ERISA LITIGATION :
-----X

Master File 08 Civ. 5320 (NRB)
ECF Case

THIS DOCUMENT RELATES TO: :
ALL ACTIONS :
-----X

**NOTICE OF MOTION BY PLAINTIFF
ROSE HANSEN FOR APPOINTMENT
OF INTERIM CO-LEAD COUNSEL**

PLEASE TAKE NOTICE that Plaintiff Rose Hansen, by her attorneys, hereby move pursuant to Fed. R. Civ. P. 23(g)(C)(2)(A) and the Court's Order of August 13, 2008, for an order appointing Spector Roseman & Kodroff, P.C. and Stember Feinstein Doyle & Payne, LLC as Interim Co-Lead Counsel; and Lewis, Clifton & Nikolaidis, P.C. as Liaison Counsel for the putative class of ERISA plan participants. In support of this motion, Plaintiffs rely on the accompanying Memorandum of Law and the Declaration of Theodore M. Lieverman with exhibits. A Proposed Order is enclosed.

Date: August 26, 2008

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ORDER

WHEREAS, several Plaintiffs in the above consolidated actions have sought leave to file motions for appointment of Interim Lead Counsel; and

WHEREAS by Order dated August 13, 2008, this Court allowed any such motions to be filed; and

WHEREAS the Court has reviewed the various motions and responses, and having considered the merits of the motions; it is hereby

ORDERED that pursuant to Fed. R. Civ. P. 23(g)(C)(2)(A), the Court appoints Spector Roseman & Kodroff, P.C. and Stember Feinstein Doyle & Payne, LLC as Interim Co-Lead Counsel for Plaintiffs and the putative class of ERISA plan participants.

1. Interim Co-Lead Counsel shall have ultimate authority over the following matters on behalf of all Plaintiffs in these consolidated actions: (a) convening meetings of counsel; (b) initiation, response, scheduling, briefing and argument of all motions; (c) the scope, order and conduct of all discovery proceedings; (d) such work assignments to other counsel as they may deem appropriate; (e) the retention of experts; (f) designation of which attorneys may appear at hearings and conferences with the Court; (g) the timing and substance of any settlement negotiations with defendants; and (h) other matters concerning the prosecution of the Plaintiffs' Class Actions. Interim Co-Lead Counsel shall be responsible for the overall direction and

administration of the Plaintiff Class Actions.

2. No motion shall be initiated or filed on behalf of any plaintiff except through Interim Co-Lead Counsel.

3. Interim Co-Lead Counsel and Liaison Counsel shall have sole authority to communicate with Defendants' Counsel and the Court on behalf of all Plaintiffs. Defendants' Counsel may rely on all agreements made with Interim Co-Lead Counsel and such agreements shall be binding on all counsel in those respective actions.

4. The organizational structure of Plaintiffs' counsel established herein shall apply to Plaintiffs' counsel in any other related action filed and consolidated subsequently.

5. All Plaintiffs' counsel shall keep contemporaneous time records and shall periodically submit summaries or other records of time and expenses to Interim Co-Lead Counsel, or their designee.

6. Each attorney not a member of the bar of this Court who is acting as counsel for a Plaintiff or Defendant herein shall be deemed admitted *pro hac vice* to practice before this Court in connection with these proceedings, provided that such counsel is admitted and in good standing in any federal district court.

IT IS FURTHER ORDERED that Lewis, Clifton & Nikolaidis, P.C. is appointed Liaison Counsel for Plaintiffs and the putative class of ERISA plan participants. Liaison Counsel is charged with performing, on behalf of all Plaintiffs in the consolidated actions, administrative matters such as communications with clerical staff of the Court and with other counsel (including receiving and distributing notices, orders, motions and briefs on behalf of the group), advising parties of developments in the case and otherwise assisting in the coordination of activities and

positions.

Dated: New York, New York
September ____, 2008

HON. NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that Plaintiff Rose Hansen's Motion for Appointment of Interim Co-Lead Counsel, Memorandum of Law and Declaration of Theodore M. Lieverman were filed electronically and are available for viewing and downloading from the ECF system. These documents were also served via e-mail on the following counsel:

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Dated: August 26, 2008

/s/ Theodore M. Lieberman
THEODORE M. LIEVERMAN